

DECISION ON APPLICANT REQUEST FOR RECONSIDERATION

Under section 60851 of title 2 of the California Code of Regulations, if the Bureau of State Audits or the Applicant Review Panel decides to exclude or remove an applicant from the pool of applicants being considered for selection to the Citizens Redistricting Commission, the applicant may, no later than 10 days after the date of the notification of exclusion or removal, request reconsideration of the decision if the decision was the result of an error relating to:

- Having a conflict of interest;
- Failing to satisfy the eligibility requirements for serving on the commission; or
- Failing to comply with the procedural requirements of the application process.

Name of the Applicant/Requestor: John W. Kopp.

Date of the notice of exclusion or removal: February 10, 2010.

Date the request for reconsideration was received: February 21, 2010.

Description of the alleged error that caused the exclusion or removal: Due to misunderstanding the question as asking him to identify the last statewide general election in which he voted, Applicant incorrectly answered Question 4 on the initial application, which actually asked him to identify each of the last three statewide general elections in which he has voted.

Request for reconsideration is: Granted.

Reason for granting or denying the request: Applicant affirmed that he has voted in each of the last three statewide general elections listed on the application in conjunction with Question 4. Applicant therefore has voted in at least two of the last three statewide general elections as is required for eligibility to serve as a member of the Citizens Redistricting Commission. Applicant also stated that the reason why he submitted this request for reconsideration more than ten days after he was sent notice of being excluded from the initial applicant pool is that, even though he contacted the Bureau of State Audits about the error on his application within two days of being sent the exclusion notice, he was not sent a reconsideration request form until eight days after receiving the notice, but completed and submitted the form just 3 days later after returning from a weekend trip. Applicant therefore has stated compelling circumstances for granting his late request for reconsideration, particularly as the request was received only one day late, and granting the request causes no harm to the application process.

Applicant's current status: Included in the initial applicant pool.

Name and title of person making decision: Steven Benito Russo, Senior Staff Counsel.

Date of decision: March 18, 2010.